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AMENDMENTS TO LB 966

1 1. Strike original section 1 and insert the following
2 new section:

3 "Section 1. Section 84-712.05, Reissue Revised Statutes
4 of Nebraska, is amended to read:

5 84-712.05. The following records, unless publicly
6 disclosed in an open court, open administrative proceeding, or open
7 meeting or disclosed by a public entity pursuant to its duties, may
8 be withheld from the public by the lawful custodian of the records:

9 (1) Personal information in records regarding a student,
10 prospective student, or former student of any tax-supported
11 educational institution maintaining the records, other than routine
12 directory information;

13 (2) Medical records, other than records of births and
14 deaths and except as provided in subdivision (5) of this section,
15 in any form concerning any person, and also records of elections
16 filed under section 44-2821;

17 (3) Trade secrets, academic and scientific research work
18 which is in progress and unpublished, and other proprietary or
19 commercial information which if released would give advantage to
20 business competitors and serve no public purpose;

21 (4) Records which represent the work product of an
22 attorney and the public body involved which are related to
23 preparation for litigation, labor negotiations, or claims made by
24 or against the public body or which are confidential communications

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1 as defined in section 27-503;

2 (5) Records developed or received by law enforcement
3 agencies and other public bodies charged with duties of
4 investigation or examination of persons, institutions, or
5 businesses, when the records constitute a part of the examination,
6 investigation, intelligence information, citizen complaints or
7 inquiries, informant identification, or strategic or tactical
8 information used in law enforcement training, except that this
9 subdivision shall not apply to records so developed or received
10 relating to the presence of and amount or concentration of alcohol
11 or drugs in any body fluid of any person;

12 (6) Appraisals or appraisal information and negotiation
13 records concerning the purchase or sale, by a public body, of any
14 interest in real or personal property, prior to completion of the
15 purchase or sale;

16 (7) Personal information in records regarding personnel
17 of public bodies other than salaries and routine directory
18 information;

19 (8) Information solely pertaining to protection of the
20 ~~physical~~ security of public property and persons on or within
21 public property, such as specific, unique vulnerability assessments
22 or specific, unique response plans, either of which is intended to
23 prevent or mitigate criminal acts the public disclosure of which
24 would create a substantial likelihood of endangering public safety
25 or property; computer or communications network schema, passwords,
26 and user identification names; guard schedules; or lock
27 combinations; or the

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1 (9) The security standards, procedures, policies, plans,
2 specifications, diagrams, access lists, and other security-related
3 records of the Lottery Division of the Department of Revenue and
4 those persons or entities with which the division has entered into
5 contractual relationships. Nothing in this subdivision shall allow
6 the division to withhold from the public any information relating
7 to amounts paid persons or entities with which the division has
8 entered into contractual relationships, amounts of prizes paid, the
9 name of the prize winner, and the city, village, or county where
10 the prize winner resides;

11 ~~(9)~~ (10) With respect to public utilities and except as
12 provided in sections 43-512.06 and 70-101, personally identified
13 private citizen account payment information, credit information on
14 others supplied in confidence, and customer lists;

15 ~~(10)~~ (11) Records or portions of records kept by a
16 publicly funded library which, when examined with or without other
17 records, reveal the identity of any library patron using the
18 library's materials or services;

19 ~~(11)~~ (12) Correspondence, memoranda, and records of
20 telephone calls related to the performance of duties by a member of
21 the Legislature in whatever form. The lawful custodian of the
22 correspondence, memoranda, and records of telephone calls, upon
23 approval of the Executive Board of the Legislative Council, shall
24 release the correspondence, memoranda, and records of telephone
25 calls which are not designated as sensitive or confidential in
26 nature to any person performing an audit of the Legislature. A
27 member's correspondence, memoranda, and records of confidential

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1 telephone calls related to the performance of his or her
2 legislative duties shall only be released to any other person with
3 the explicit approval of the member;

4 ~~(12)~~ (13) Records or portions of records kept by public
5 bodies which would reveal the location, character, or ownership of
6 any known archaeological, historical, or paleontological site in
7 Nebraska when necessary to protect the site from a reasonably held
8 fear of theft, vandalism, or trespass. This section shall not
9 apply to the release of information for the purpose of scholarly
10 research, examination by other public bodies for the protection of
11 the resource or by recognized tribes, the Unmarked Human Burial
12 Sites and Skeletal Remains Protection Act, or the federal Native
13 American Graves Protection and Repatriation Act;

14 ~~(13)~~ (14) Records or portions of records kept by public
15 bodies which maintain collections of archaeological, historical, or
16 paleontological significance which reveal the names and addresses
17 of donors of such articles of archaeological, historical, or
18 paleontological significance unless the donor approves disclosure,
19 except as the records or portions thereof may be needed to carry
20 out the purposes of the Unmarked Human Burial Sites and Skeletal
21 Remains Protection Act or the federal Native American Graves
22 Protection and Repatriation Act; ~~and~~

23 ~~(14)~~ (15) Job application materials submitted by
24 applicants, other than finalists, who have applied for employment
25 by any public body as defined in section 84-1409. For purposes of
26 this subdivision, job application materials means employment
27 applications, resumes, reference letters, and school transcripts,

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1 and finalist means any applicant who is offered and who accepts an
2 interview by a public body or its agents, representatives, or
3 consultants for any public employment position; and
4 (16) Social security numbers, credit card numbers and
5 expiration dates, and financial account numbers supplied to state
6 and local governments by citizens.".